

Express Mail Label No.: EK14194882US

Date of Deposit: March 8, 2000



03.9-00

Attorney Docket No. 00960-570
(CRP-165) #3

410 Rec'd PCT/PTO 08 MAR 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Sampath *et al.*
ASSIGNEE: Creative BioMolecules, Inc.
SERIAL NUMBER: 09/423,943 EXAMINER: Not yet assigned
INT'L. FILING DATE: May 29, 1998 ART UNIT: Not yet assigned
FOR: METHODS FOR EVALUATING TISSUE MORPHOGENESIS AND ACTIVITY

March 8, 2000
Boston, Massachusetts

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Response to Notification of Missing Requirements (1 pg.);
- ☒ Executed Combined Declaration and Power of Attorney (3 pgs.);
- ☒ Copy of Notification of Missing Requirements (1 pg.); and
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at 617-542-6000, Boston, Massachusetts.

Although Applicants believe no fees are due in connection with this filing, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 00960-570. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Michel Morency, Limited Recognition
James Gregory Cullem, Reg. No. 43,569
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Express Mail Label No.: EK14 1882US

Date of Deposit: March 8, 2000



Attorney Docket No. 00960-570
(CRP-165)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Sampath *et al.*
ASSIGNEE: Creative BioMolecules, Inc.
SERIAL NUMBER: 09/423,943 EXAMINER: Not yet assigned
INT'L. FILING DATE: May 29, 1998 ART UNIT: Not yet assigned
FOR: METHODS FOR EVALUATING TISSUE MORPHOGENESIS AND ACTIVITY

March 8, 2000
Boston, Massachusetts

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. §371**

This paper is in response to the February 8, 2000, Notification of Missing Requirements in the above-identified application, which is the U.S. national-stage of PCT/US98/10909, filed May 29, 1998. Applicants submit herewith an executed Declaration and Power of Attorney, in compliance with 37 C.F.R. §1.497, along with a copy of Form PCT/DO/EO/905. These documents are due March 8, 2000.

Although Applicants believe no fees are due in connection with this filing, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 00960-570. A duplicate copy of this Response is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Michel Morency, Limited Recognition
James Gregory Cullem, Reg. No. 43,569
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

09/423948

U.S. APPLICATION NO. 343

SAMPLE

FIRST NAMED APPLICANT

ATTORNEY

MINZTZ LEVIN, BOSTON
BOSTON DOCKET DEPT.

00950-570

IVOR R ELRIFI
MINZTZ LEVIN COHN FERRIS
ONE FINANCIAL CENTER
BOSTON MA 02111

5611

POPEO



DATE MAILED:

02/08/00

INTERNATIONAL APPLICATION NO.

PCT/US98/10909

I.A. FILING DATE

PRIORITY DATE

05/29/98

05/30/97

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),
☐ an Electd Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of Inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☒ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 30 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Barbara Campbell
National Stage Processing
(703) 305-3031